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Chicanos in the Criminal Justice System

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Chicano Studies

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Abstract

Recently there has been a change in the interaction and trust between the justice system and Chicano culture. This paper will delve into how interactions between the criminal justice system and Chicano communities have increased. It will also examine the support levels within the justice system. I will use the survey statistics found in reports from the PEW Research Center and also focus on specific Chicanos who are in and deal with the justice system on a daily basis. Around fifty-six percent of the Chicano culture can say they have had some sort of connection or interaction with the criminal justice system.(PEW Report) This comes both from helping the criminal justice system and those that have had negative experiences with the criminal justice system. In this paper I will seek out the answer of how Chicano culture has been affected over time by these interactions. Those that interact daily with the criminal justice system, such as judges, will be the main focus, to help demonstrate how they give back to their Chicano community when they are put into a position that can greatly help others.

Keywords: Chicano, PEW Research Center, Criminal Justice System, Judges.

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Chicanos in the Criminal Justice System

Until the twentieth century, the criminal justice system has not been kind to Chicanos. In general most of the time Chicanos have been persecuted and treated unequally under the law. The dominate Anglo culture almost seemed to make it a necessity to take the land from Chicanos, and then to blame them for their problems, such as unemployment. However, Chicanos did not take this persecution and resentment from false allegations without a fight. Chicanos knew that to change the system they had to be a part of it, and so they started forming political parties and peacefully talking with those in the justice system. Some individuals took larger roles in the criminal justice system by becoming lawyers and judges.

There is still a large disparity on the amount of Chicano/Latino judges; however the gap has been closing in more recent years. (Lyles Pg. 224) As the population of Chicanos has increased it has been more important for president to appoint these judges to help represent Chicanos. These Chicanos were and are role models to younger generations and also people who could affect and influence policy changes. The contributions of the Chicano judges can be seen in recent studies, like those done in a PEW report, showing the increased interactions between average Chicano citizens and the police and other criminal justice entities. (PEW) With these increased interactions the trust of police and other criminal justice entities by Chicanos has

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increased, but there is still a gap between how much Chicanos and Anglos trust and believe in these entities.

The reasons behind the lack of trust for the criminal justice system dates back to when Anglos first came over into land that Chicanos had settled in. Chicanos lived and worked on their own lands, but this was short lived when Anglos invaded Mexican territory and took it for themselves. Chicanos were thrown off of their own land. The justice system that they appealed to, to get their land back ignored and betrayed them. (Foreigners in Their Own Land) What follows is a long history of persecution and discrimination. When immigrants were becoming unpopular the criminal justice again turned against Chicanos, by trampling on their rights. Laws were passed that stopped the expression of Chicano culture through language. Also, other immigration laws made it acceptable to detain Chicanos based solely on the color of their skin.

When Chicanos would try to protest, which is a constitutional right, they were forcibly removed from the area and in more severe cases beaten and humiliated. These negative interactions with police and law makers, contributes to a lack of trust to a criminal justice system that is supposed to protect its citizens. This is why there have been many movements to change the criminal justice system from the outside, by making political parties like La Raza; and from within by supporting Chicano judges. The most successful Chicanos in the criminal justice system are able to help make changes within their community and promote the Chicano movement.

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There has always been a distinct lack of Chicanos judges in the criminal justice system but in recent years and presidencies there has been a noticeably increase. When President Kennedy was in office there were no Chicano judges, it was 98% whites and 2% blacks. Recently the biggest change was in President Clinton's term; where there was only 64% Anglos and 8.4% Chicanos. (The Gatekeepers Pg. 224) When Chicanos were actually starting to become part of the criminal justice system, this was an indication that Chicanos were being noticed and that the Chicano movement was working. "The integration of the federal judiciary is a significant achievement for equality and the law."(JTBF.org)

There is still a large disparity, but the closing gap signals more change and progress in the future. Although the numbers show positive changes, it is when you look at actual judges and put faces to those numbers that you can see the changes. Judges like; Renaldo Garza, Ruben Castillo, and Manuel Lawrence Real have great impacts through their work, on the Chicano community. (JTBF.org) Renaldo Garza served on a Board of Education to help Chicano children better their education. He was the first Chicano/Latino to serve as a district judge, and even now even though he is no longer a full time judge he still works with the Appeals court and is helping those in his community.

Judge Ruben Castillo as the first district Chicano judge of Illinois focused his career on ending prejudices and racism that could be found in his community. Manuel Real was a prosecutor who helped get bad influences off the street and away from the community. These Chicano judges tirelessly work to provide greater opportunities in education and many other

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social issues for Chicanos who would otherwise be discriminated against and taken advantage of. With role models like these judges and other influential Chicanos, there has been a greater amount of positive interactions with the criminal justice system.

According to Pew research into Chicano relations with the criminal justice system, about 56% of Chicanos report that they or someone in their family has dealt with the criminal justice system. Of those who have interacted with the criminal justice system; 27% report a crime, 23% are questioned by the police, 21% have been on a jury, 19% attend court, 15% were arrested, 13% were on parole, 12% served time in prison, and 11% were witnesses in court. (Pew Survey)

The negative interactions of being arrested haven't changed much over time; however there has been an increase in Chicanos helping out the police and other parts of the criminal justice system. This trend can be traced back to recent numbers showing a percentage increase on how many Chicanos trust the criminal justice system.

Looking back at the Pew reports it is reported that 61% of Chicanos trust the criminal justice system. This has been an increasing value for the last five years. When compared to Anglos and African Americans the numbers vary greatly. Anglos are at about 78% that trust the criminal justice system, African Americans only have 55% trust. Minorities have much less trust in the criminal justice system than Anglos, but it is promising to see that the percentage is increasing. This trust can be gained by active members in the Chicano community interacting with the criminal justice system.

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In the future, with the rising population of Chicanos, there will need to be many more Chicanos within the criminal justice system as well in many other positions of power for there to be equal representation. It is difficult to say whether or not judicial appointments of Chicano judges will increase, as that is a president's prerogative; however, as the amount of voting Chicanos increase making those judicial appointments will be beneficial to any upcoming president. I believe that the trust that Chicanos have in the criminal justice system will continue to increase as more Chicanos will be participants within the criminal justice system.

In the majority of the country Chicanos will have more of the positive interactions with police and other parts of the criminal justice system. However, in states where racial discrimination and prejudice are high, like Arizona, positive interactions with the criminal justice system will be much less. With reform and laws that are about equality this would change. Also with Chicano judges playing an active part in their communities, other Chicanos have a model to see how interactions with the criminal justice system don't have to be negative.

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Works Cited Page

Hugo Lopez, Mark , and Gretchen Livingston. "Hispanics and the Criminal Justice System." *<i></i>*. Pew Research, 7 Apr. 2009. Web. 8 May 2014.

<i></i><http://www.pewhispanic.org/2009/04/07/hispanics-and-the-criminal-justice-system/>;

"Latino judges." . Just the Beginning Foundation, n.d. Web. 10 May 2014.

<i></i><http://www.jtbf.org/index.php?src=gendocs&ref=Latino%20Judges&category=Integration>.

Lyles, Kevin. *The Gatekeepers: Federal District Courts in the Political Process* . : Greenwood Publishing Group, 1997. Print.